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C O N F I D E N T I A L ABUJA 001034

SIPDIS

CAIRO POL FOR MAXSTADT

E.O. 12958: DECL: 06/12/2013

TAGS: [PHUM](#) [PREL](#) [PGOV](#) [MOPS](#) [PINS](#) [NI](#)

SUBJECT: NIGERIA: BENUE REPORT INDICTS NO ONE; OBASANJO  
SAYS HE CAN DO NO MORE

REF: A. ABUJA 1025

[1](#)B. ABUJA 400

[1](#)C. ABUJA 205

CLASSIFIED BY AMBASSADOR HOWARD F. JETER; REASONS 1.5 (B)  
AND (D).

[1](#)1. (C) During a June 11 meeting, President Obasanjo and Ambassador discussed GON efforts to address U.S. concerns over the October 2001 Benue incident. Ambassador Jeter noted that Nigeria had lost USD 12.8 million in "opportunity" bilateral security assistance because of Congressional sanctions. Obasanjo said he had recently received a copy of the Commission of Inquiry's report, but had not read it yet. When the Ambassador commented that we had heard the report did not indict specific individuals (REF A), Obasanjo exclaimed, "We cannot do more than we have done. If this will break our relationship, so be it." (COMMENT: Obasanjo gave the Ambassador his copy of the report from which we confirmed that the Commission did not recommend criminal prosecution against any specifically identified individuals. The Commission's mandate did not extend to the initiation of criminal proceedings - it could only make recommendations. Even this, it did not do. END COMMENT.)

[1](#)2. (C) Obasanjo and recently appointed Chief of Defense Staff GEN Alexander Ogomudia, who also attended the meeting, were adamant on this issue. During an aside before Obasanjo arrived, Ogomudia told the Ambassador that he wished he could speak with the members of Congress "who still have misgivings about Zaki-Biam." Alluding to recent U.S. military action in Iraq where innocent civilians were killed or seriously injured, Ogomudia said that sometimes governments had to take actions that inevitably hurt innocent people. The GON had to respond with force in Zaki-Biam.

[1](#)3. (C) COMMENT: This line of reasoning has been the GON's constant refrain. While most government officials will acknowledge the soldiers at Zaki-Biam went much too far, they are loathe to hold specific individuals culpable because, in the final analysis, they believe the military had to act. Moreover, an attempt to indict soldiers might cause unrest in the barracks and this is something Obasanjo has to avoid. While Obasanjo was concerned about the effects of Congressional sanctions on bilateral security assistance, his statements indicate that he will not personally intervene further on the Benue issue. END COMMENT.  
JETER